

House Public Service Subcommittee Am. #1

Amendment No. \_\_\_\_\_

\_\_\_\_\_  
Signature of Sponsor

**FILED**

Date \_\_\_\_\_

Time \_\_\_\_\_

Clerk \_\_\_\_\_

Comm. Amdt. \_\_\_\_\_

**AMEND Senate Bill No. 2836**

**House Bill No. 2728\***

by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 8-42-101(3), is amended by adding the following as a new subdivision:

(l) "State employee" also includes, solely for purposes of this chapter and under §§ 9-8-112 and 9-8-307, a contracted court reporter when the contracted court reporter is named in a civil action for damages alleging an act or omission by the contracted court reporter in the course of performing the contracted court reporter's official duties.

SECTION 2. This act takes effect upon becoming a law, the public welfare requiring it.



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Amendment No. \_\_\_\_\_

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**AMEND Senate Bill No. 2639**

**House Bill No. 2743\***

by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 8-37-110, is amended by deleting the section and substituting instead the following:

(a) Consistent with § 8-37-104 and other applicable law, the board of trustees shall establish an investment policy for retirement system funds, which may include provisions relative to the divestment from retirement system assets.

(b) The board may delegate to the state treasurer the authority to implement the investment policy. Subject to the delegation from the board of trustees, the state treasurer may invest and reinvest such funds created by this chapter and chapters 34-36 of this title and divest from retirement system assets pursuant to the board's policy.

SECTION 2. This act takes effect upon becoming a law, the public welfare requiring it.



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Amendment No. \_\_\_\_\_

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Comm. Amdt. \_\_\_\_\_

**AMEND Senate Bill No. 2639**

**House Bill No. 2743\***

by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 8-37-110, is amended by adding the following as a new subsection:

( ) The investment committee for the board of trustees may cause the retirement system to divest, as expeditiously as possible, from an investment the system has with an entity found to be doing business with or supporting a country sanctioned by the office of foreign assets control. Any such divestment must be made in a manner consistent with § 35-14-107, the prudent investor rule pursuant to § 35-14-103, the standard of care pursuant to § 35-14-104, and the applicable portions of the board of trustees' investment policy relative to asset allocations and investment strategy. The state treasurer shall report a divestment made pursuant to this section to the council on pensions.

SECTION 2. This act takes effect upon becoming a law, the public welfare requiring it.



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Amendment No. \_\_\_\_\_

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**AMEND Senate Bill No. 2876**

**House Bill No. 2275\***

by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Title 8, Chapter 36, Part 8, is amended by adding the following as a new section:

(a) As used in this section, "emergency medical services employee" means an individual who is licensed pursuant to the Emergency Medical Services Act of 1983, compiled in title 68, chapter 140, part 3, to provide emergency medical services, as defined in § 68-140-302.

(b) Notwithstanding another law to the contrary, a retired member of the Tennessee consolidated retirement system or of a superseded system, or of a local retirement fund established pursuant to chapter 35, part 3 of this title, may be reemployed in a position covered by the retirement system as an emergency medical services employee without the loss or suspension of the retired member's Tennessee consolidated retirement system benefits, if:

(1) The retired member, as of the date of reemployment, possesses a current, valid license issued by the emergency medical services board through the department of health to provide emergency medical services;

(2) The retired member is not reemployed until the expiration of at least sixty (60) calendar days from the member's effective date of retirement;

(3) During the reemployment, the retirement benefit payable to the retired member is reduced to seventy percent (70%) of the retirement allowance the member would have otherwise been entitled to receive;



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(4) The retired member's reemployment does not exceed one (1) year; however, the retired member may be reemployed for additional one-year periods as long as the conditions contained in this section are met for each period of reemployment;

(5) To fund the liability created by this section, the retired member's new employer pays to the Tennessee consolidated retirement system during each period of reemployment the greater of:

(A) A payment equal to the amount the employer would have contributed to the retirement system had the retired member been a member of the retirement system during the period of reemployment; or

(B) An amount equal to five percent (5%) of the retired member's pay rate;

(6) The retired member does not accrue additional retirement benefits as a result of the member's reemployment;

(7) Upon the reemployment of the retired member, the retired member's new employer:

(A) Notifies the retirement system of the member's reemployment with documents or information required by the retirement system; and

(B) Certifies in writing to the retirement system that the retired member has the requisite experience and training for the position to be filled and that no other qualified persons are available to fill the position; and

(8) The retiree is not drawing disability retirement benefits under chapter 36, part 5 of this title.

(c) This section is repealed on June 30, 2025.

SECTION 2. This act takes effect July 1, 2022, the public welfare requiring it.

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**AMEND Senate Bill No. 2889**

**House Bill No. 2864\***

by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 8-44-108(a)(1), is amended by deleting the subdivision and substituting instead:

(1) "Governing body" means the governing body of a board, agency, or commission of state government, including state debt issuers;

SECTION 2. Tennessee Code Annotated, Section 8-44-108(a), is amended by adding the following as a new subdivision:

( ) "Electronic means of communication" means communication by video conference or audio conference and may include the use of an internet-based platform, but does not include email;

SECTION 3. Tennessee Code Annotated, Section 8-44-108(c), is amended by deleting subdivision (2) and inserting the following subdivisions and renumbering the subsequent subdivisions accordingly:

(2) If a meeting will be conducted permitting participation by members by electronic means of communication, then the governing body shall allow members of the public who are not in attendance at the physical location of the meeting to:

(A)

(i) View and listen to the meeting by electronic means in real time, if the meeting is conducted using video conference; or

(ii) Listen to the meeting by electronic means in real time, if the meeting is conducted with audio only with no video; and



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(B) Participate or provide comment by electronic means of communication, if participation or public comment would normally be allowed at the meeting.

(3) A notice required by this part or other law and the agenda for the meeting must:

(A) State that the meeting will include members of the governing body who are participating by electronic means of communication;

(B) Contain information necessary for members of the public to access the meeting by electronic means to view or listen; and

(C) Contain instructions on how to provide public comment by electronic means of communication, which may include contacting the governing body or registering in advance to receive information enabling a person to provide public comment by electronic means. This subdivision (c)(3)(C) does not require a governing body to allow public comment as part of its meetings or alter its rules for public comment or public participation in a meeting.

(4) A governing body that conducts a meeting allowing participation by electronic means of communication shall make a recording of the meeting, and post the recording or a link to the recording on its website that contains information about the governing body and its meetings. The governing body shall post the recording or link to the recording as soon as possible but no later than three (3) business days after the meeting. The governing body shall retain the recording or link for at least three (3) years after the recording was created.

SECTION 4. Tennessee Code Annotated, Section 8-44-108(d), is amended by deleting the last sentence of the subsection and substituting instead:

Subdivisions (c)(1)-(6) apply to meetings held pursuant to this subsection (d).

SECTION 5. This act takes effect July 1, 2022, the public welfare requiring it.

Amendment No. \_\_\_\_\_

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**AMEND Senate Bill No. 2819**

**House Bill No. 1760\***

by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 10-7-504(f), is amended by adding the following new subdivisions:

(10) As used in this subsection (f), "records and information" means employment records containing information listed in subdivisions (f)(1)(A)-(H) that has been collected by the employing governmental entity.

(11) For the purposes of this subsection (f), this state or a local governmental entity, as applicable, is considered to be the "employing governmental entity" regardless of which department, branch, agency, or other recognized part of state government or local government keeps or maintains the requested employment records and information.

SECTION 2. This act takes effect upon becoming a law, the public welfare requiring it.



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Amendment No. \_\_\_\_\_

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**AMEND Senate Bill No. 661\***

**House Bill No. 1402**

by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 10-7-504, is amended by adding the following as a new subsection:

( ) Named parties in litigation with or against a governmental entity shall not circumvent discovery under the Tennessee rules of civil procedure or the subpoena process and powers of the courts by seeking records from a governmental entity under this part.

SECTION 2. Tennessee Code Annotated, Section 10-7-503(a)(7)(A), is amended by deleting the language "that includes the person's address" and substituting instead "that includes the person's address, and may require the person to certify in writing, at the time of the request, that the person is not making the request on behalf or at the request of another person or entity".

SECTION 3. This act takes effect upon becoming a law, the public welfare requiring it.



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Amendment No. \_\_\_\_\_

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Signature of Sponsor

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Comm. Amdt. \_\_\_\_\_

**AMEND Senate Bill No. 2326**

**House Bill No. 2382\***

by deleting all language after the enacting clause and substituting instead:

SECTION 1. Tennessee Code Annotated, Section 8-34-605, is amended by adding the following language as a new subsection:

( ) Subject to a state appropriation, there is established a reserve account in the retirement system for the payment of state liabilities, and the interest that would have been earned thereon, resulting from military service credit established pursuant to this section on or after the effective date of this act. Deposits into the reserve account must come from state appropriations. The interest and dividends earned on the funds in the reserve account must be credited to the account and not revert to the general fund. The state treasurer may assess a charge to the reserve account, in an amount determined by the treasurer, to meet the expenses of the treasury department in administering and investing the reserve account assets.

SECTION 2. This act takes effect upon becoming a law, the public welfare requiring it.



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House Public Service Subcommittee Am. #1

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**AMEND Senate Bill No. 2672**

**House Bill No. 2723\***

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by adding the following as a new subsection (d) in Section 1:

(d) The department of human resources shall develop the policies and procedures necessary to implement this section.



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Amendment No. \_\_\_\_\_

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**AMEND Senate Bill No. 2005**

**House Bill No. 1722\***

by deleting all language after the enacting clause and substituting instead the following:

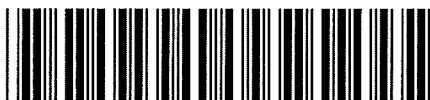
SECTION 1. Tennessee Code Annotated, Section 8-36-606 is amended by deleting the section and substituting instead the following:

(a) The election of a designated beneficiary under an optional retirement plan must not be cancelled by the member after the member's retirement date, except as provided in this section.

(b) After a member's retirement date, a retired member may cancel the member's designated beneficiary for any reason, including, but not limited to, the death of the beneficiary or the member's divorce from the designated beneficiary, upon the written request of the member; however, a retired member cannot cancel the member's beneficiary under this subsection (b) after retirement if the retiree has previously cancelled a beneficiary designation under this subsection (b).

(c) If a retired member cancels the member's designated beneficiary who is the member's spouse or former spouse, the retired member must include proper documentation with the written cancellation request, which, for a divorce, must include, but is not limited to, the final decree and marital dissolution agreement of the parties. The cancellation must not be in conflict with the decree or marital dissolution agreement.

(d) If a retired member cancels the member's designated beneficiary, the member may designate a new beneficiary, but upon the death of the retired member, the newly designated beneficiary is only entitled to the remaining accumulated contributions in the member's account or the member's retirement allowance in the month of death.



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(e) The retirement allowance payable to the retired member after the cancellation of the designated beneficiary pursuant to this section is not affected by the cancellation of beneficiary designation.

SECTION 2. This act takes effect upon becoming a law, the public welfare requiring it.

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**AMEND Senate Bill No. 1805**

**House Bill No. 1658\***

by deleting Section 1(a) and substituting:

(a) A member of the Tennessee consolidated retirement system who is an emergency medical services employee, state or local law enforcement officer, or firefighter, and who reaches twenty-five (25) years or more of consecutive service may obtain a COVID-19 essential employee service credit. This credit may be obtained on the basis of one (1) bonus hour of creditable service for each hour of creditable service rendered if the member was required to work as an emergency medical services employee, state or local law enforcement officer, or firefighter at the member's respective worksite or another worksite outside of the member's personal residence during the COVID-19 state of emergency declared by the governor on March 12, 2020, and terminated on April 27, 2021. Total COVID-19 essential employee service credit hours must be converted into days of creditable service, not to exceed three (3) years.

**AND FURTHER AMEND** by deleting from Section 1(c) the language "volunteered to work or".

**AND FURTHER AMEND** by adding to Section 1 the following new subsections:

(e) Service must not be credited for the purpose of establishing eligibility for retirement, but a benefit must be paid on such service.

(f) This section is permissive for a municipality, county, or political subdivision of this state and is not effective for the qualified employees of a municipality, county, or political subdivision unless approved by the governing body of the respective municipality, county, or political subdivision.

(g) As used in this section:



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(1) "Emergency medical services employee" means an individual who is licensed pursuant to the Emergency Medical Services Act of 1983, compiled in title 68, chapter 140, part 3, to provide emergency medical services, as that term is defined in § 68-140-302; and

(2) "State or local law enforcement officer" means a member of the Tennessee highway patrol; a police officer, sheriff, or sheriff's deputy employed full time by a municipality, county, or political subdivision of this state; or a police officer, agent, or investigator employed full time by this state, whose primary responsibility is the prevention and detection of crime and apprehension of offenders.

**AND FURTHER AMEND** by deleting Section 2 and substituting:

SECTION 2. This act is null and void unless the general assembly appropriates funds for such purposes during the session in which this act receives final passage.